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TO RUEHC/SECSTATE WASHDC IMMEDIATE 5143
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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 001187

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E.O. 12958: DECL: 02/27/2017

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SUBJECT: AMBASSADOR AND CNS GENERAL WINAI DISCUSS POLITICAL SITUATION

REF: A. BANGKOK 1036 (SOMKID RESIGNS)

[1](#)B. BANGKOK 1034 (CHATURON DEFIES BAN)

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (b) and (d).

SUMMARY

[11.](#) (C) The Ambassador cautioned the Council for National Security (CNS) against responding harshly to political activities by the Thai Rak Thai (TRT) party leader. In a February 26 lunch with CNS Secretary General Winai Phattiyakul, the Ambassador also expressed USG interest in the CNS lifting restrictions on political activities as soon as possible. Winai discussed the CNS's plan to educate the citizenry about the constitution in advance of the referendum likely to take place in August or September. Winai admitted he had a hand in the recent decision of some senior officials to leave TRT, but he did not have insights into the Prime Minister's much criticized decision to appoint former Thaksin era Deputy Prime Minister Somkid Jatusripitak as an economic envoy. (Somkid ended up resigning shortly after assuming his duties.) Winai discussed rumored divisions within the CNS, hinting that General Saprang Kalayanamitr would likely become the next Army Commander. The RTG wanted to begin reforming the national police but did not expect to complete the job in the coming months. Winai said the RTG had no evidence of future terrorist attacks in Bangkok. The Malaysian government could help facilitate -- but not mediate -- RTG dialogue with southern insurgents by creating an environment more conducive to talks. Winai assured the Ambassador the RTG would not deport Hmong refugees in Nong Khai to Laos.
End Summary.

OUTLOOK ON THE CONSTITUTION

[12.](#) (C) The Ambassador hosted CNS Secretary General (and Defense Ministry Permanent Secretary) Winai Phattiyakul for lunch on February 26. Appearing relaxed and confident, Winai first discussed the ongoing constitution drafting process. Winai believed the Constitution Drafting Committee (CDC), and CDC Chairman Prasong Soonsiri, understood clearly how to produce a good document. The result would be an improved but not dramatically changed version of the 1997 Constitution. The form of the Senate -- whether composed of elected or appointed officials -- remained to be determined, Winai said. He predicted modifications to the provisions allowing for a party list for House of Representatives elections, although he believed that the party list might not be abolished

entirely.

¶13. (C) Winai said the authorities had ample time to educate and inform the public about the new constitution before the upcoming referendum (likely in August or September). The authorities would devote much of their attention in this effort to Thai Rak Thai (TRT) supporters. If the public were to reject the constitution, Winai said, it would be politically disastrous, but, in that event, as provided by the interim constitution, the CNS and the Cabinet would simply prepare a new constitution and submit it to the King. Winai predicted that such a constitution would not differ dramatically from the Constitution Drafting Assembly's version, but it would be better for the charter to emerge from a relatively transparent process which involved extensive give-and-take with the public and interest groups.

RESPONDING TO TRT LEADER'S CAMPAIGNING

¶14. (C) The CNS would meet on the afternoon of February 26, Winai said, to discuss how to respond to the political gatherings held by TRT Party Leader Chaturon Chaiseng, who had recently flouted a ban on party activities (ref B). Winai said Chaturon had acted highly inappropriately, and the authorities were very upset. The government would have to respond in some fashion, Winai said, and would do so after reviewing the relevant laws. Winai acknowledged Chaturon might have deliberately sought to provoke a harsh response.

¶15. (C) The Ambassador urged Winai to consider carefully how best to respond to Chaturon, and to weigh the possible international repercussions. Cracking down on Chaturon appeared unnecessary, the Ambassador said, if the CNS would

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lift the ban on political party activities in the near future. Lifting the ban as soon as possible would help improve Thailand's standing, the Ambassador conveyed. Winai said the ban would likely be repealed in June at the latest -- and Chaturon should have waited until then to hold such gatherings. Tangentially, Winai noted resentfully that the TRT populist policies that Chaturon advocated in his meetings represented a significant financial burden on the government, which had spent billions of Baht (hundreds of millions of USD) to continue some of Thaksin's programs.

DEFECTIONS FROM TRT

¶16. (C) The Ambassador asked about the recent defection from Thai Rak Thai of Deputy Party Leader Suwat Liptapanlop and others, who recently formed a "Reconciliation Alliance" (ref B). Winai readily admitted that he had pressed Suwat to leave TRT; according to Winai, Suwat and his allies were reluctant to break from the party, saying they preferred to wait and see the new mechanism established by the next constitution. Winai had recounted to his TRT contacts that deposed Prime Minister Thaksin Shinawatra had an opportunity in early 2006 to take a break from politics; had Thaksin made his move early enough, he would have commanded a degree of sympathy from the public and could have returned successfully to political life in the future. Suwat and his allies seemed to take on board Winai's message and decided to jump ship.

¶17. (C) Winai expressed strong confidence that the Constitutional Tribunal would dissolve TRT, after hearing all the evidence that the party had committed undemocratic acts. (Note: The legal case against TRT began during Thaksin's time in office; it was not initiated by the coup leaders, although the coup leaders strengthened the sanctions that could apply to party executives. End Note.) Winai predicted the Tribunal would hand down its ruling in May.

¶18. (C) When the Ambassador asked about the recent appointment (and quick resignation) of former Thaksin era Deputy Prime

Minister Somkid Jatusripitak as Chairman of a government commission to explain the King's "sufficiency economy" principles, Winai admitted that Prime Minister Surayud's decision to appoint Somkid had generated widespread disappointment. Winai said he had no role in Somkid's appointment, and he did not know the details behind it.

SECURITY IN BANGKOK

¶19. (C) Turning to security issues, the Ambassador asked Winai about recent public statements by RTG officials that unnamed perpetrators might carry out bombings in Bangkok. Dismissively, Winai said the government had no evidence of planned attacks. Discussing Defense Minister Boonrawd Somthat's public claim that students from Ramkhamhaeng University might be involved in attacks, Winai said that Ramkhamhaeng -- which has many southern Muslims -- typically fell under suspicion whenever government officials focused on terrorism, and surveillance activities at the university has risen as a matter of course after the New Year's Eve bombings in Bangkok.

DIVISIONS IN THE CNS

¶110. (C) The Ambassador asked about continuing rumors of divisions within the CNS. Winai said he did not see any meaningful rifts, but General Saprang Kalayanamitr and General Anupong Paojinda seemed to be warily eyeing each other, wondering which of them might be selected to replace General Sonthi Boonyaratglin as Army Commander in September. Winai remarked that some people felt Saprang would not be the best candidate, but he was senior to Anupong. In any case, Saprang would have to retire after a year, and Anupong seemed willing to defer to Saprang, hoping then to replace him in ¶2008.

¶111. (C) The Ambassador then raised the bitter public dispute in January between Saprang and former Prime Minister Chavalit Yongchaiyudh. Winai said this dispute had ended after Privy Council President Prem Tinsulanonda told Chavalit to stand down. Winai relayed that Chavalit's political ambitions had revived after the coup, when it became unclear who among the

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civilian politicians might be able to fill the vacuum left by Thaksin's removal.

POLICE REFORM

¶112. (C) The Ambassador asked Winai for his assessment of the RTG's intentions for institutional reforms of the Royal Thai Police (RTP). Winai disclaimed responsibility in this matter, noting the Prime Minister's office was managing the issue. When asked whether it would be best for an interim, unelected administration to carry out such an effort, Winai said it was important for the current leadership to initiate the process. He did not expect the RTP to be restructured by the time Surayud leaves office, but if the interim government did not start the ball rolling, future administrations would not have the will to carry out necessary reforms.

¶113. (C) Citing a characterization of new Police Chief Seripisuth Temiyavet as a maverick in the mold of Saprang, the Ambassador asked Winai's view. Winai said Seripisuth was even more independent-minded than Saprang -- Seripisuth was known to have criticized his senior officers, Winai said, whereas Saprang would not do so.

MALAYSIAN ROLE IN SOUTHERN THAILAND

¶114. (C) The Ambassador asked Winai what type of role the Malaysian government might play in helping to end the

insurgency in southern Thailand. Winai said the Malaysians could not mediate between the RTG and insurgents, but the GOM could help to facilitate dialogue. Specifics steps the GOM could take included establishing a joint committee to examine dual nationality; resolving the disposition of 131 Thai villagers from the border area who sought refuge in Malaysia in August 2005, claiming they feared Thai government persecution; and sharing information with the RTG on insurgent leaders. Bilateral Thai-Malaysian cooperation could make the environment more conducive to talks, but Winai emphasized that the Malaysians would not be directly involved in any dialogue.

HMONG REFUGEES

¶15. (C) Acknowledging that Winai no longer had formal responsibility for refugee issues (as he had previously, when serving as NSC Secretary General), the Ambassador nevertheless explained USG interest in having access to Hmong refugees at Nong Khai. Winai was not in a position to facilitate this access, but he assured the Ambassador without qualification that the Hmong refugees would not be refouled to Laos.

COMMENT

¶16. (C) We will continue to raise at the highest levels our interest in seeing the early restoration of civil liberties. We note Winai is well aware of the political hazards surrounding the constitutional referendum, and are encouraged that the authorities are already planning extensive voter education.

BOYCE